

Message Text

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ACTION EUR-12

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O R 121908Z JAN 77
FM AMEMBASSY BERLIN
TO SECSTATE WASHDC NIACT IMMEDIATE 3918
INFO AMEMBASSY BELGRADE
AMEMBASSY BONN
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY WARSAW
USMISSION USBERLIN
USMISSION NATO

C O N F I D E N T I A L BERLIN 5079

E O 11652: GDS
TAGS: PFOR, PINT, GE, GW
SUBJ: CHANGE IN STATUS OF GDR ACCESS CONTROL MEASURES AT FRG
PERMANENT REPRESENTATION

REF: A) BERLIN 5070; B) BERLIN 5077

SUMMARY: SITUATION OUTSIDE FRG PERMREP BUILDING JANUARY 12
RETURNED TO "NORMAL", I.E. MINIMUM NUMBER OF GUARDS AND NO
ATTEMPT TO PREVENT ACCESS BY GDR CITIZENS WHO DID IN FACT
VISIT. EVEN IF SITUATION REMAINS "NORMAL", THE PERMREP
FEELS THAT FRG WILL HAVE TO RECEIVE SATISFACTION FROM GDR
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IN FORM OF SOME PUBLIC ACKNOWLEDGEMENT THAT PERMREP DOES NOT
ENGAGE IN ILLEGAL ACTIVITIES. ALTHOUGH MAIN REASON FOR GDR
MOVE EVIDENTLY IS CONNECTED WITH REGIME EFFORTS TO
GRAPPLE WITH PROBLEM OF HOW TO HANDLE APPLICANTS WHO
WISH TO LEAVE, THERE APPEARS TO BE NO CLEAR EXPLANATION
YET OF APPARENT REVERSAL OF MEASURES BY REGIME. FORE-
GOING WAS UPSHOT OF MEETING AMONG FRG, UK, FRENCH AND

US REPS JANUARY 12. END SUMMARY.

1. GDR CONTROL OF ACCESS TO FRG PERMANENT REPRESENTATION BY GDR CITIZENS JANUARY 12 RETURNED TO "NORMAL" I.E., TWO MILITIAMEN WHO STOOD AWAY FROM ENTRANCE AND MADE NO EFFORT TO PREVENT ACCESS TO BUILDING, ACCORDING TO DEP. PERMREP BRAUTIGAM, WHO BRIEFED UK, FRENCH AND US DCM'S LATE EVENING JANUARY 12. IN FACT, ALTHOUGH PERMREP DOES NOT HAVE REGULAR VISITING HOURS ON WEDNESDAYS, THERE WERE 16 GDR CITIZEN VISITORS AS OF LATE AFTERNOON WHICH IS A HIGHER NUMBER THAN NORMAL FOR WEDNESDAY. BRAUTIGAM SAID THE PERMREP WAS NOT DRAWING ANY CONCLUSIONS YET FROM CHANGE AND WISHED TO WAIT TO SEE WHAT NEXT FEW DAYS WILL BRING.

2. ON JANUARY 11, GAUS/SEIDEL MEETING, BRAUTIGAM SAID SEIDEL TOOK THE INITIATIVE IN READING STATEMENT IN WHICH GDR PROTESTED AGAINST "CERTAIN ILLEGAL ACTIVITIES" BY PERMREP, WHICH INCLUDED ENCOURAGING AND GIVING ADVICE TO GDR CITIZENS ON HOW TO PURSUE THEIR OBJECTIVES VIS-A-VIS THEIR OWN GOVERNMENT. THIS IS CONSIDERED INTERFERENCE IN GDR INTERNAL AFFAIRS. IT IS ALSO CONTRARY TO ART. 41 OF VIENNA CONVENTION, HE SAID. SEIDEL ALSO PROTESTED AGAINST FACT THAT FRG CONSTITUTION CONTAINS CLAUSE THAT FRG HAS THE RIGHT TO REPRESENT ALL GERMANS. IN ADDITION, SEIDEL CALIMED THERE HAD BEEN RUMORS OF ATTACKS AGAINST PERMREP AND THEREFORE THE GDR HAD TO TAKE APPROPRIATE MEASURES.

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3. GAUS REJECTED SEIDEL'S ACCUSATIONS, STATING THAT PERMREP WAS RESPONDING TO QUERIES RELATED TO FAMILY REUNIFICATION AND OTHER MATTERS RAISED BY INTERESTED GDR CITIZENS. PERMREP CONSIDERED SUCH ACTIVITY PART OF ITS NORMAL FUNCTION AND PART OF ITS DUTY IN FULFILLING COMMON OBJECTIVE IN BETTERING RELATIONS. HE ALSO ASSERTED THAT ACCESS TO MISSION BY GDR CITIZENS AND RESPONDING TO THEIR QUESTIONS DERIVE, AS FAR AS FRG IS CONCERNED, FROM BASIC AGREEMENT BETWEEN FRG/GDR, THE VIENNA CONVENTION AND THE AGREEMENT ON ESTABLISHMENT OF RELATIONS. HE NOTED THAT GDR MEASURES WERE DIRECTED ONLY AGAINST FRG (AND CHINESE EMBASSY), AND ASKED THAT MEASURES BE RESCINDED. SEIDEL DID NOT REPLY. ACCORDING TO BRAUTIGAM, THE DISCUSSION WAS HEATED ON BOTH SIDES.

4. AT END OF MEETING MORNING JANUARY 12 AT MFA TO WHICH BRAUTIGAM WAS CALLED TO RECEIVE COPY OF GDR REPLY NOTE ON LOEWE EXPULSION, SEIDEL SAID "WATCH WHAT IS

GOING ON TODAY". ALTHOUGH HE DID NOT ELABORATE, IT WAS OBVIOUS HE WAS REFERRING TO THE LIFTING-PERHAPS ONLY TEMPORARILY--OF THE JANUARY 11 ACCESS CONTROL MEASURES.

5. EVEN IF MEASURES REMAIN LIFTED AND THE SITUATION RETURNS TO "NORMAL", THE FRG CANNOT BE SATISFIED, ACCORDING TO BRAUTIGAM. THE FRG "NEEDS SATISFACTION" FOR WHAT GDR HAS SAID ABOUT ALLEGED "ILLEGAL ACTIVITIES". THE PUBLIC BOTH IN GDR AND FRG HAS THE RIGHT TO KNOW THAT THE PERMREP IS AND CAN FUNCTION FULLY AND NORMALLY. BRAUTIGAM SAID THE LATEST DEVELOPMENTS WOULD BE DISCUSSED IN BONN THIS WEEK AND AGAIN NEXT WEEK. AMONG THE ELEMENTS WHICH SHOULD BE CONSIDERED AT THESE MEETINGS, ACCORDING TO BRAUTIGAM, WERE (1) IT WOULD NOT BE SUFFICIENT FOR THE SITUATION TO RETURN TO NORMAL -- THERE WOULD HAVE TO BE SOME

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"SATISFACTION" ALONG THE ABOVE LINES; (2) NO COUNTER-MEASURES SHOULD BE TAKEN AGAINST THE GDR MISSION IN BONN; (3) THERE WAS THE NEED FOR A WELL PREPARED POLITICAL-LEGAL NOTE SETTING OUT THE FRG POSITION, AND (4) THE EXTENT TO WHICH THE GDR MEASURES SHOULD BE RAISED BY THE FRG AT BELGRADE.

6. WHILE THERE WAS CONSENSUS AMONG DCM'S THAT GDR JANUARY 11 MEASURES AND SUBSEQUENT PRESS COVERAGE WERE DESIGNED TO INSTILL CAUTION AND FEAR AMONG EAST GERMANS INTERESTED IN EMIGRATING TO FRG, THERE APPEARED TO BE NO COMPLETELY SATISFACTORY EXPLANATION FOR APPARENT REVERSAL BY REGIME, OR WHY IT TOOK STEP WHEN IT DID. THEORY OF POSSIBLE FACTIONAL DIFFERENCES WITHIN LEADERSHIP WAS DISCUSSED, BUT DISCOUNTED. POSSIBILITY THAT LOWER LEVEL OFFICIALS SET MEASURES IN MOTION WITHOUT HIGHER APPROVAL ONLY TO BE REVERSED WHEN EXTENSIVE PUBLICITY BECAME APPARENT WAS ALSO DISCOUNTED AS UNLIKELY. THERE WAS SOME THOUGHT THAT REGIME HAD ACHIEVED WHAT IT WANTED BY ONE DAY MEASURES, I.E., WARNING PEOPLE ABOUT ENTERING PERMREP. HOWEVER, IT WAS FELT THAT EXTENSIVE FRG MEDIA COVERAGE OF JANUARY 12 DEVELOPMENT COULD LEAD EAST GERMANS TO THINK THAT, DESPITE WHAT APPEARED IN GDR PAPERS, GAUS HAD IN FACT BEEN SUCCESSFUL AND THAT IT WOULD BE PERMISSIBLE TO VISIT FRG MISSION. IT WAS GENERALLY AGREED THAT THE SITUATION REMAINED UNCLEAR, AND THAT DEVELOPMENTS OVER NEXT SEVERAL DAYS MIGHT SHED SOME LIGHT.

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